

### **REMARKS**

Claims 1-10 are pending in this application. Claims 1-10 are directed to novel compounds, pharmaceutical compositions and methods of treatment thereof. The Examiner has requested an election of species from compound claims 1-10 for examination purposes.

It is noted that all claims are dependent upon claim 1, which is generic.

Applicants provisionally elect, with traverse, the species 2-(2-Amino-ethylamino)-6-quinolin-6-yl-3H-pyrimidin-4-one. This compound is specifically disclosed on page 28 as the compound of Example 1 and is the first compound listed in claim 10. Claims 1, 2 and 6 to 10 are readable upon the elected species.

It is applicants understanding that the proposed election of species is in conformity with the MPEP §803.02, and is not a restriction requirement under 35 U.S.C. §121. Accordingly, the election is not among different claims, but among members of a Markush group within a single claim.

In the instant case, this requires election among the Markush members of the structural elements of R<sup>1</sup> and R<sup>2</sup> which are substituents on the pyrimidinone nucleus of Formula (I) compounds. All of the members of the generic claim have the same utility, which is the inhibition of aYAK3 protein with subsequent therapeutic effect on diseases of the erythroid and hematopoietic systems.

Accordingly, it is applicants understanding that the Examiner will consider the instant election provisional, and that the resulting search will be extended to cover the patentability of the entire Markush claim, should the elected species be found allowable.

This response is intended to distinctly and completely respond to the Examiners requirement for election. If any matter remains to be resolved before allowance, or discussion of any matter will facilitate the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number provided.

Respectfully submitted,

A handwritten signature in cursive script, reading "Wayne J. Dustman", followed by a horizontal line extending to the right.

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